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CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Ruby Ness, Doyle B. Moore and Jessica Y. Moore, husband and wife, and Allen G. Roberts hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain a sanitary sewer and storm drain system on the following described land:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the CITY. No building or utility shall be placed upon, under or within the property subject to the foregoing easement during the term thereof, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against any and all loss, cost or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 12th day of Sept, 1990; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Individuals,
general partnerships

Ruby E. Ness
Signer's Name - Ruby Ness

Doyle B. Moore
Signer's Name - Doyle B. Moore

Jessica Y. Moore
Signer's Name - Jessica Y. Moore

Allen G. Roberts
Signer's Name - Allen G. Roberts
ALLAN

(if executed by a corporation
affix corporate seal)

Corporation
limited partnership

Corporation/Partnership Name

Signer's Name, Title

Signer's Name, Title

Signer's Name, Title

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Personal Acknowledgment
STATE OF OREGON

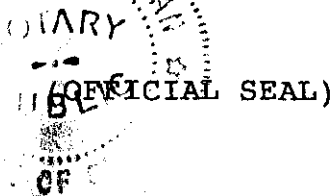
County of CLACKAMAS) ss.

Personally appeared the above
named Ruby Ness and
acknowledged the foregoing
instrument to be her
voluntary act and deed.

Before me:

William B. Lunnigan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



(Grantor's Name and Address)

Personal Acknowledgement
State of Oregon

County of _____) ss.

Personally appeared the above
named Doyle B. Moore and Jessica
Y. Moore, husband and wife and
acknowledged the foregoing
instrument to be their
voluntary act and deed.

Before me:

Fred Sanchez
FRED SANCHEZ
NOTARY PUBLIC FOR OREGON
My Commission Expires 6-20-94

(OFFICIAL SEAL)

(Grantors Name and Address)

Personal Acknowledgement
State of Oregon)
County of _____) ss.

Personally appeared the above
named Allen G. Roberts
Y. Moore, husband and wife and
acknowledged the foregoing
instrument to be his
voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON
My Commission Expires 6-20-94
(OFFICIAL SEAL)

Allen G. Roberts
c/o Fred Sanchez
11112 N. E. Halsey
Portland, Oregon 97220
(Grantors Name and Address)

City of Oregon City
320 Warner Milne Road
Oregon City, Oregon 97045

(Grantee's Name and Address)

Accepted on behalf of the City of
Oregon City on the condition that
the easement granted is free and
clear from taxes, liens and
encumbrances.

David R. Spear
Mayor
Glen K. Elliott
City Recorder

After Recording Return to:

City Engineer
City of Oregon City
320 Warner-Milne Road
Oregon City, Oregon 97045

Corporate Acknowledgment
STATE OF OREGON)
County of _____) ss.

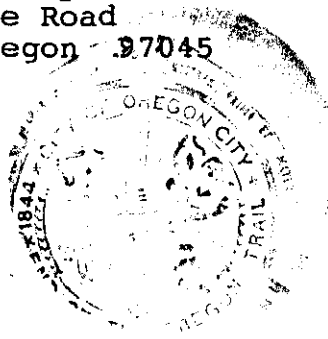
Personally appeared _____
and _____
who being duly sworn, each for
himself and not one for the other
did say that the former is the _____
president and that the latter is
the _____ secretary of _____
a corporation, and
that the seal affixed to the
foregoing instrument was signed and
sealed in behalf of said corporation
by authority of its board of
directors; and each of them
acknowledged said instrument to be
its voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

(OFFICIAL SEAL)

Space reserved for County
Record's Office



**EASEMENT DESCRIPTION
SANITARY SEWER
TAX LOT 1100 (3.2E.7B)**

EXHIBIT "A"

A strip of land in the Northwest-quarter of Section 7, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, being a portion of that tract of land described in contract to Doyle B. Moore and Jessica Y. Moore, recorded April 11, 1977, Clackamas County Deed Fee No. 77-13199, and described as follows:

Parcel A:

A strip of land, twenty feet wide, lying fifteen feet on the Northwest side and five feet on the Southeast side of the following described line:

Beginning at a point on the Southwesterly line of said Moore tract five feet from the South corner thereof, said point being on the centerline of McCord (County Road No. 374 1/2), and running thence parallel with and five feet from, the Southeasterly line of said Moore tract N. 42° 15' E., 133 feet to the terminus.

Parcel B:

A strip of land, forty feet wide, lying seven feet on the Southwest side and thirty-three feet on the Northeast side of the following described line:

Beginning at a point on the Southeast line of said Moore tract, 123 feet from the South corner thereof on the centerline of McCord (County Road No. 374 1/2) and running thence parallel with the Southwesterly line of said Moore tract N. 47° 45' W., 660 feet, more or less, to the Northwesterly line of said Moore tract and the terminus of the line to be described.

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CITY OF OREGON CITY
INCORPORATED 1844

FOR AGENDA
DATED

September 19, 1990

COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Public Utility Easement Acceptance
Central Point/McCord Sewer Project**

Report No. 90-233

On the September 19, 1990, City Commission agenda is a public utility easement for the Central Point/McCord sewer project for Commission acceptance. This easement is the last easement needed for the project.

It is recommended that the Commission adopt a motion accepting the easement and authorize the Mayor and City Recorder to execute respectively.

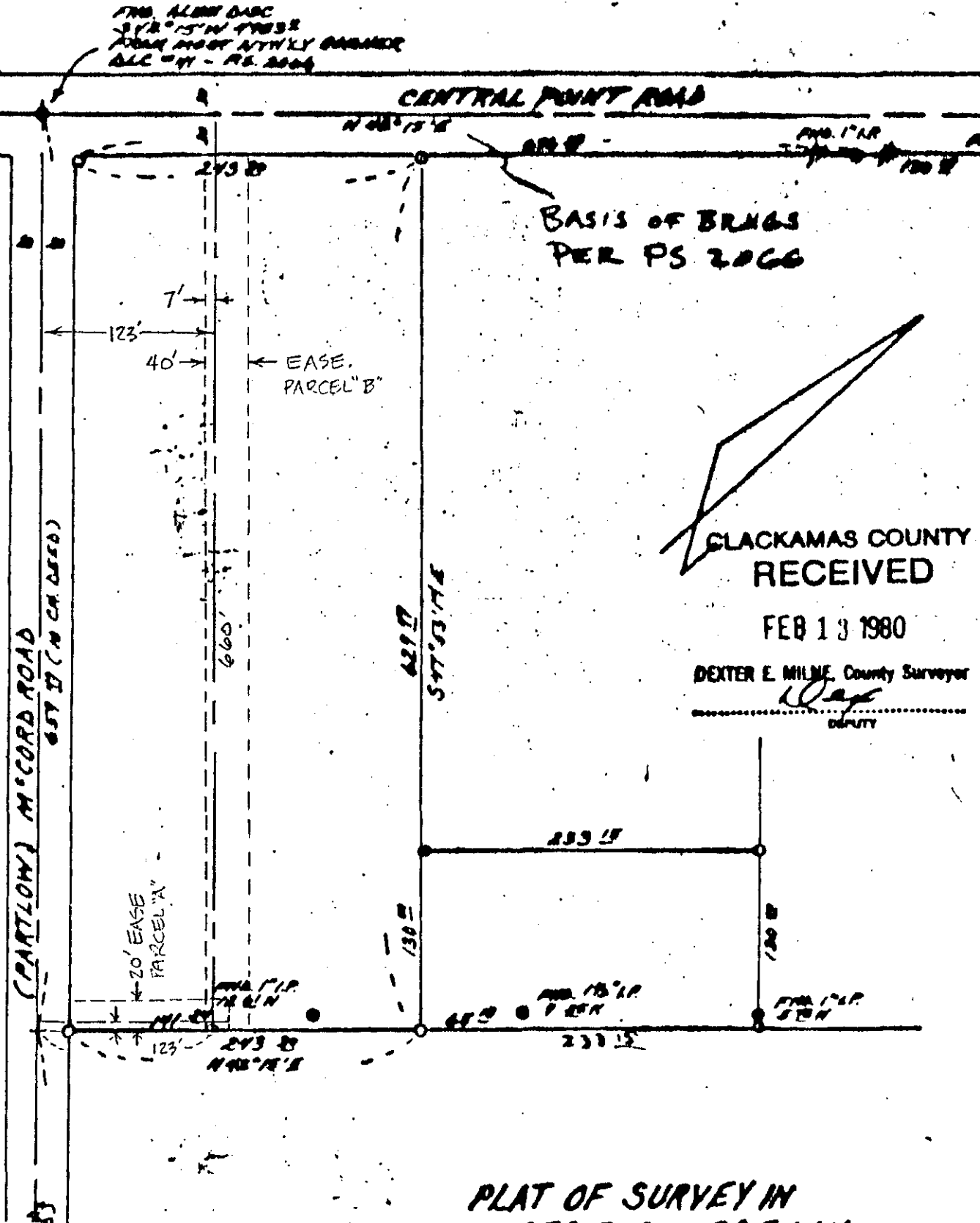
CHARLES LEESON
Interim City Manager

attach.

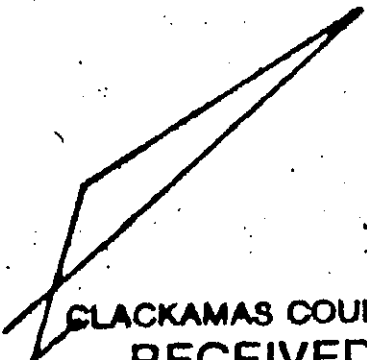
**cc: Development Services Director
John Hawthorne, Civil Engineer**

EXHIBIT "B"

PS-17338



BASIS OF BRNGS
PER PS 2066



FEB 13 1980

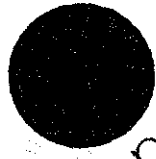
DEXTER E. MILNE, County Surveyor
DEPUTY

PLAT OF SURVEY IN
N 45° 15' E T 1 S R 2 E WM.

SEWER AND STORM DRAIN EASEMENT
1990

(102)

TL 1100 , 3-2E-7B
Ruby Ness
Doyle/Jessica Moore
Allen Roberts



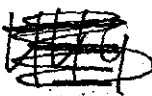
(purple)

3-2E-7B 1100

DOGH 90-50251

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1608	2

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